

1                                   **HOUSE RESOLUTION NO. 35**

2                    (By Delegates Sobonya, C. Miller, Overington,  
3                                   Savilla, Household and Sumner)

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6 Urging the Governor of the West Virginia to enter into a compact  
7                   concerning citizenship.

8           WHEREAS, Based on US Census data, some 340,000 children were  
9 born to illegal immigrants in the United States in 2008; and

10          WHEREAS, According to the Pew Hispanic Center, unauthorized  
11 immigrants comprise slightly more than four percent of the adult  
12 population of the United States, and because they are relatively  
13 young and have high birthrates, their children make up a much  
14 larger share of both the newborn population (eight percent) and the  
15 child population (seven percent of those younger than age eighteen)  
16 in this country; and

17          WHEREAS, According to current estimates, hundreds of thousands  
18 of illegal aliens are crossing United States borders to give birth  
19 and exploit their child as an "anchor baby," as a means to obtain  
20 residency, access taxpayer-funded benefits and steal American jobs  
21 for themselves and for their families at a cost to American  
22 taxpayers estimated to be \$113 billion annually, or nearly \$1,117  
23 yearly per individual taxpayer; and

24          WHEREAS, The House of Delegates believes federal, state and  
25 local governments should cooperate fully in their efforts to

1 eliminate all economic attractions and incentives (including, but  
2 not limited to, public benefits, welfare, education and employment  
3 opportunities) for illegal aliens, as well as to secure our borders  
4 against unlawful invasion; therefore, be it

5       *Resolved by the House of Delegates:*

6       That the House of Delegates hereby urges the Governor into a  
7 compact on behalf of the state with any one or more states who may  
8 by their legislative bodies, authorize a compact, in form  
9 substantially as follows:

10       (1) The state shall make a distinction in the birth  
11 certificates, certifications of live birth, or other birth records  
12 issued in the state, between persons born in the state who are born  
13 subject to the jurisdiction of the United States and persons who  
14 are not born subject to the jurisdiction of the United States.  
15 Persons born subject to the jurisdiction of the United States shall  
16 be designated as natural-born United States citizens.

17       (2) For the purposes of this compact, the phrase, "subject to  
18 the jurisdiction of the United States", has the meaning that it  
19 bears in Section 1 of the Fourteenth Amendment to the United States  
20 Constitution, namely that the person is a child of at least one  
21 parent who owes no allegiance to any foreign sovereignty, or a  
22 child without citizenship or nationality in any foreign country.  
23 For the purposes of this compact, a person who owes no allegiance  
24 to any foreign sovereignty is a United States citizen or national,

1 or an immigrant accorded the privilege of residing permanently in  
2 the United States or a person without citizenship or nationality in  
3 any foreign country.

4       (3) This compact does not take effect until Congress has given  
5 its consent, pursuant to Article 1, Section 10, Clause 3 of the 6  
6 United States Constitution; and, be it

7       *Further Resolved*, That the Clerk of the House of Delegates  
8 forward a certified copy of this resolution to the Governor.